

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JACLYN A. FISHER, STEPHANIE
GRAVES, HEATHER HUFF, CHERYL
KOMENDA, JOSETTE LABREC, JESSICA
LOEPP, ANN MARKHAM-SIMMONS,
BRENDA MATSON, CAROL MCNITT,
MOHAMED KHOCHTALI, IRENE
MENDOZA, MIKKI PERSON, MICHELLE
STRAWN, ANNETTE VANSCHOYCK,
JENNIFER ANDERSON, MAYRA
BACKAN, LEAH BRACKEN, DANIELLE
CARTER, CHARLOTTE CHAPMAN,
CHALISE CROWDER, MONICA FIERRO,
JENNIFER HARDIN, REBECCA JOHNSON,
SHANNON KENYON, JENNIFER KOGOD,
STEPHANIE LEATHAM, NADINE
MANUEL, KERRI MCCLOUD, DONNA
MUEHL, DAWN NEPSUND, NICOLE
PETERSON, NATALIE REED, BEVERLY
RICHESON, DAWN SANCHEZ, JAMIE
LYN SCHULER, CATRINA STEWART,
CHRISTINE VANDERHOFF, LATOYA
WADE, CRISTIN WEST, LEMICUA
WILSON, MYRIAM ZAYAS, and JANE or
JOHN DOES 1-30,

Plaintiffs,

v.

CORINTHIAN COLLEGES, INC.,a
Washington corporation, d/b/a BRYMAN
COLLEGE, TACOMA CAMPUS,

Defendant.

Case No. C05-5412FDB

ORDER DENYING PLAINTIFFS'
MOTION TO REMAND

Plaintiff moves to remand this cause of action to Pierce County Superior Court, from which it
was removed, on the basis that there is no competent evidence that the jurisdictional amount in

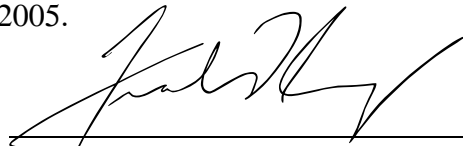
1 controversy exceeds \$75,000.00, because the letter offering to compromise this litigation does not
2 constitute "other paper" under 28 U.S.C. § 1446(b).

3 Corinthian College responds citing recent Ninth Circuit case law that a settlement letter is
4 relevant evidence of the amount in controversy if it appears to reflect a reasonable estimate of the
5 plaintiff's claim. Plaintiff concedes that the authority cited "may be dispositive of the issue."

6 Plaintiffs' counsel had indicated in a letter to Defendants counsel that he anticipated asking
7 the jury to award damages to each plaintiff in the amount of \$132,000.00, and it was this evidence
8 that was cited when Defendant removed this action. Under Ninth Circuit case authority, this matter
9 was properly removed, and will not be remanded.

10 ACCORDINGLY, IT IS ORDERED: Plaintiffs' Motion for Remand [Dkt. # 10] is DENIED.

11 DATED this 29th day of July 2005.

12 
13 _____
14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25